KAMALA D. HARRIS Attorney General of California 2 LINDA K. SCHNEIDER Supervising Deputy Attorney General 3 SHERRY L. LEDAKIS Deputy Attorney General 4 State Bar No. 131767 110 West "A" Street, Suite 1100 San Diego, CA 92101 5 P.O. Box 85266 San Diego, CA 92186-5266 6 Telephone: (619) 645-2078 Facsimile: (619) 645-2061 Attorneys for Complainant 8 BEFORE THE **BOARD OF REGISTERED NURSING** 9 DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA 10 Case No. 2013-290 11 In the Matter of the Accusation Against: 12 ACCUSATION RENEE KNIGHT 12340 Mesa Grove Dr 13 Riverside, CA 92503 14 Registered Nurse License No. 584775 15 Respondent. 16 Complainant alleges: 17 **PARTIES** 18 Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her 19 official capacity as the Executive Officer of the Board of Registered Nursing, Department of 20 Consumer Affairs. 21 On or about August 2, 2001, the Board of Registered Nursing issued Registered 2. 22 Nurse License Number 584775 to Renee Knight (Respondent). The Registered Nurse License 23 was in full force and effect at all times relevant to the charges brought herein and will expire on 24 July 31, 2013, unless renewed. 25 /// 26 27 111 28

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

- 4.. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.
 - 6. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case. Nothing in this section shall preclude a board from including the recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

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CAUSE FOR DISCIPLINE

(Gross Negligence)

- 8. Respondent is subject to disciplinary action for unprofessional conduct under Code section 2761(a) subdivision (1) in that Respondent was grossly negligent when she removed a patient's chest tube which is a procedure that is outside the scope of her nursing license. The circumstances are as follows:
- 9. On or about May 29, 2011, Respondent was working at Riverside Community
 Hospital as a specialty nurse in angiography for the Department of Radiology. At approximately
 2:15 p.m. Dr. S. called the radiology department, spoke to Respondent and asked her if she could
 remove a chest tube. Respondent agreed to remove the chest tube. Dr. S. asked Respondent if
 removing a chest tube was within her scope of practice as a registered nurse, and Respondent
 reassured Dr. S that she was very familiar with the procedure. Respondent documented that she
 removed a pigtail chest tube from the patient's right chest as instructed by the physician.
- 10. Respondent was not skills verified or credentialed to perform the procedure of removing a chest tube.
- 12. Respondent resigned from her employment at Riverside Community Hospital while this matter was being investigated.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 584775, issued to Renee Knight;
- 2. Ordering Renee Knight to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

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2	3. Taking such other and further action as deemed necessary and proper.
3	DATED: October 15, 2012 Stare Ben
4	LOUISE R. BAILEY, M.ED., RN Executive Officer
5	Board of Registered Nursing Department of Consumer Affairs State of California
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7	Complainant
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